

PUBLIC HEALTH CODE (EXCERPT)

Act 368 of 1978

PART 172

NURSING

333.17201 Definitions; principles of construction.

Sec. 17201. (1) As used in this part:

(a) "Practice of nursing" means the systematic application of substantial specialized knowledge and skill, derived from the biological, physical, and behavioral sciences, to the care, treatment, counsel, and health teaching of individuals who are experiencing changes in the normal health processes or who require assistance in the maintenance of health and the prevention or management of illness, injury, or disability.

(b) "Practice of nursing as a licensed practical nurse" or "l.p.n." means the practice of nursing based on less comprehensive knowledge and skill than that required of a registered professional nurse and performed under the supervision of a registered professional nurse, physician, or dentist.

(c) "Registered professional nurse" or "r.n." means an individual licensed under this article to engage in the practice of nursing which scope of practice includes the teaching, direction, and supervision of less skilled personnel in the performance of delegated nursing activities.

(2) In addition to the definitions in this part, article 1 contains general definitions and principles of construction applicable to all articles in the code and part 161 contains definitions applicable to this part.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Compiler's note: For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

Popular name: Act 368

333.17208 Licensed practical nurse; health profession subfield.

Sec. 17208. The practice of nursing as a licensed practical nurse is a health profession subfield of the practice of nursing.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.17209 Renewal of license to practice as trained attendant; eligibility; "practice as a trained attendant" defined; original license prohibited; licensed psychiatric attendant nurse considered licensed practical nurse.

Sec. 17209. (1) After the effective date of this part, an individual licensed to practice as a trained attendant is eligible to apply to the board for a renewal of licensure pursuant to this article. For purposes of this section, "practice as a trained attendant" means the practice of nursing based on less comprehensive knowledge and skill than that required of a registered professional nurse or a licensed practical nurse and performed under supervision of a registered professional nurse or licensed physician or dentist. After the effective date of this part, the board shall not grant an original license to an applicant for licensure to practice as a trained attendant.

(2) After the effective date of this part, licensed psychiatric attendant nurse licenses shall be considered licensed practical nurse licenses. A licensed psychiatric attendant nurse shall have the same rights and duties as a licensed practical nurse under this part as consistent with the licensee's education and training.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.17210 Registered professional nurse; issuance of specialty certification; qualifications.

Sec. 17210. The board of nursing may issue a specialty certification to a registered professional nurse who has advanced training beyond that required for initial licensure and who has demonstrated competency through examination or other evaluative processes and who practices in 1 of the following health profession specialty fields: nurse midwifery, nurse anesthetist, or nurse practitioner.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.17211 Practice of nursing or as licensed practical nurse; license or authorization required; use of words, titles, or letters.

Sec. 17211. (1) A person shall not engage in the practice of nursing or the practice of nursing as a licensed practical nurse unless licensed or otherwise authorized by this article.

(2) The following words, titles, or letters or a combination thereof, with or without qualifying words or phrases, are restricted in use only to those persons authorized under this part to use the terms and in a way prescribed in this part: "registered professional nurse", "registered nurse", "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife", "nurse anesthetist", "nurse practitioner", "trained attendant", and "t.a.".

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 2006, Act 409, Imd. Eff. Sept. 29, 2006.

Popular name: Act 368

333.17212 Registered professional nurse; ordering, receiving, or dispensing complimentary starter dose drugs.

Sec. 17212. (1) In addition to acts, tasks, and functions delegated under section 16215, 17745, 17745a, or 17745b, a supervising physician may delegate in writing to a registered professional nurse the ordering, receipt, and dispensing of complimentary starter dose drugs other than controlled substances as defined by article 7 or federal law. When the delegated ordering, receipt, or dispensing of complimentary starter dose drugs occurs, both the registered professional nurse's name and the supervising physician's name shall be used, recorded, or otherwise indicated in connection with each order, receipt, or dispensing. As used in this subsection, "complimentary starter dose" means that term as defined in section 17745.

(2) It is the intent of the legislature in enacting this section to allow a pharmaceutical manufacturer or wholesale distributor, as those terms are defined in part 177, to distribute complimentary starter dose drugs to a registered professional nurse, as described in subsection (1), in compliance with section 503(d) of the federal food, drug, and cosmetic act, chapter 675, 52 Stat. 1051, 21 U.S.C. 353.

History: Add. 1996, Act 355, Imd. Eff. July 1, 1996.

Popular name: Act 368

333.17213 Licensure as registered professional nurse; graduate of nurse education program located outside of United States; requirements.

Sec. 17213. (1) Notwithstanding section 16145 or section 16174(1)(c) or rules promulgated pursuant to either of those sections, the board may grant a license to an applicant applying for initial licensure as a registered professional nurse who is a graduate of a nurse education program that is located outside of the United States if he or she meets the requirements of section 16174 and satisfies each of the following:

(a) Provides verification that the nurse education program from which he or she graduated is substantially equivalent to the nursing education programs in this state that are approved by the board.

(b) Has passed the requisite examination for licensure as a registered professional nurse, as approved by the board.

(2) Notwithstanding section 16145 or section 16174(1)(c) or rules promulgated pursuant to either of those sections, the board may grant a license to an applicant applying for licensure as a registered professional nurse who is licensed in another state or, until January 1, 2012, is licensed in a province of Canada and who is a graduate of a nurse education program located outside of the United States and Canada if he or she meets the requirements of subsection (1) and provides verification of licensure or registration in each state, country, jurisdiction, territory, and province in which he or she is currently licensed or registered or has been licensed or registered. If the applicant seeking licensure under this subsection has, for at least 5 years immediately preceding the application, maintained an active license or registration in another state with no disciplinary sanctions, then the applicant does not have to provide the verification required under subsection (1)(a).

History: Add. 2007, Act 19, Imd. Eff. June 14, 2007.

Popular name: Act 368

333.17221 Michigan board of nursing; creation; number and qualifications of members; terms.

Sec. 17221. (1) The Michigan board of nursing is created in the department and shall consist of the following 23 voting members who shall meet the requirements of part 161: 9 registered professional nurses, 1 nurse midwife, 1 nurse anesthetist, 1 nurse practitioner, 3 licensed practical nurses, and 8 public members. Three of the registered professional nurse members shall be engaged in nursing education, 1 of whom shall be in less than a baccalaureate program, 1 in a baccalaureate or higher program and 1 in a licensed practical nurse program and each of whom shall have a master's degree from an accredited college with a major in nursing. Three of the registered professional nurse members shall be engaged in nursing practice or nursing administration, each of whom shall have a baccalaureate degree in nursing from an accredited college. Three of the registered professional nurse members shall be engaged in nursing practice or nursing administration, each of whom shall be a nonbaccalaureate registered nurse. The 3 licensed practical nurse members shall have graduated from a state approved program for the preparation of individuals to practice as licensed practical

nurses. The nurse midwife, the nurse anesthetist, and the nurse practitioner shall each have a specialty certification issued by the department in his or her respective specialty field.

(2) The terms of office of individual members of the board created under this part, except those appointed to fill vacancies, expire 4 years after appointment on June 30 of the year in which the term expires.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1978, Act 625, Imd. Eff. Jan. 6, 1979;—Am. 1989, Act 201, Imd. Eff. Oct. 23, 1989;—Am. 1993, Act 79, Eff. Apr. 1, 1994;—Am. 2006, Act 409, Imd. Eff. Sept. 29, 2006.

Popular name: Act 368

333.17224, 333.17225 Repealed. 1989, Act 201, Imd. Eff. Oct. 23, 1989.

Compiler's note: The repealed sections pertained to task force for health professional subfields and health profession specialty fields.

Popular name: Act 368

333.17231 Honorary license; "advanced illness" defined; name of section.

Sec. 17231. (1) The department, in consultation with the board, may issue an honorary license to an individual, living or deceased, who has met all of the requirements of this part to be eligible for a license except for passage of an examination and who is unable to take the examination due to advanced illness. An honorary license issued under this section does not confer any right to engage in the practice of nursing.

(2) As used in this section, "advanced illness" means that term as defined in section 5653.

(3) This section may be referred to as "Katie Viger's law".

History: Add. 2010, Act 15, Imd. Eff. Mar. 18, 2010.

333.17241 Nursing education program; application to conduct; evidence required; evaluation; inspection; report; approval; continuation of existing programs; accreditation by national board or organization; education program for psychiatric attendant nurses or trained attendants prohibited.

Sec. 17241. (1) An institution seeking to conduct a nursing education program to prepare individuals for licensing shall apply to the board and submit evidence that it is prepared:

(a) To carry out the minimum curriculum prescribed by the board in rules for the preparation of individuals for licensing.

(b) To meet other educational and training standards established by the board under this article and the rules promulgated under this article.

(2) The board shall evaluate and may inspect the institution and its nursing education program and prepare a written report of its findings. The board, upon determining that requirements for a nursing education program are met, shall approve the program. A nursing education program approved by the board and in operation on the effective date of this part may continue as approved pending further action by the board. The board may accept accreditation by a national board or organization as a basis for approval under this section.

(3) After September 30, 1978, the board shall not approve an educational program for psychiatric attendant nurses or trained attendants.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1986, Act 174, Imd. Eff. July 7, 1986.

Compiler's note: Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."

Popular name: Act 368

333.17242 Inspection of approved nursing education program; report; notice of deficiency; removal from list of approved programs; hearing.

Sec. 17242. (1) The board may inspect an approved nursing education program in this state and prepare a written report of its findings. If the board determines that the standards required by this part and the board are not being met, written notice specifying the areas in which the board has found a program to be deficient shall be sent immediately to the institution conducting the program.

(2) A nursing education program which within a reasonable length of time, as determined by the board, fails to meet standards prescribed by the board shall be removed from the list of approved programs. An institution conducting a program which is removed from the approved list shall be granted an opportunity for a hearing.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368